

DANIEL J. BRODERICK, #89424  
Federal Defender  
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Attorney for Defendant  
BENEDICT TAN

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. 2:01-CR-0306 WBS
	)	
Plaintiff,	)	
	)	<b>DEFENDANT'S MOTION FOR RETURN OF</b>
v.	)	<b>PASSPORT; ORDER</b>
	)	
BENEDICT TAN,	)	
	)	(No hearing requested)
Defendant.	)	
	)	Judge: Hon. Gregory G. Hollows
	)	

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Benedict Tan hereby moves the Court for an order directing the Clerk to return his passport to the Office of the Federal Defender, who will then return the passport to Mr. Tan. Assistant U.S. Attorney John Vincent has advised undersigned counsel that the United States does not oppose this motion.

Mr. Tan surrendered his passport to the Clerk in 2001 as a condition of his pretrial release. On May 8, 2002, the Court sentenced him to 78 months in prison followed by a three-year term of supervised release. Mr. Tan released from prison on October 6, 2007, and successfully

1 completed supervised release last month. He has no outstanding financial  
2 or other obligations to the Court or to the government. Defense counsel  
3 has also provided to government counsel a letter from U.S. Probation in  
4 the District of Nevada confirming Mr. Tan's completion of probation.

5 There being no reason why the Court should retain Mr. Tan's  
6 passport, he asks that it be released to the Office of the Federal  
7 Defender so that it may be returned to him forthwith.

8 A proposed order follows.

9  
10 Respectfully submitted,

11 DANIEL J. BRODERICK  
12 Federal Defender

13 Dated: November 16, 2010

14 /s/ T. Zindel  
15 TIMOTHY ZINDEL  
16 Assistant Federal Defender  
17 Attorney for BENEDICT TAN  
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**O R D E R**

Defendant's motion for return of his passport is GRANTED. The Clerk shall return Mr. Tan's passport by forwarding it to the Office of the Federal Defender, ATTEN: Timothy Zindel, so that it may be returned to Mr. Tan.

IT IS SO ORDERED.

Dated: November 18, 2010

/s/ Gregory G. Hollows

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HON. GREGORY G. HOLLOWES  
United States Magistrate Judge

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